

# Congress of the United States

Washington, DC 20515

September 21, 2023

The Honorable Jack Reed  
Chairman  
Senate Committee on Armed Services  
228 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Roger Wicker  
Ranking Member  
Senate Committee on Armed Services  
228 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Mike Rogers  
Chairman  
House Committee on Armed Services  
2116 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Adam Smith  
Ranking Member  
House Committee on Armed Services  
2116 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Reed, Ranking Member Wicker, Chairman Rogers, and Ranking Member Smith,

As the House and Senate conferees negotiate the final Fiscal Year (FY) 2024 National Defense Authorization Act (NDAA), we write to strongly urge the removal of multiple sections in the House-passed NDAA that actively target LGBTQ+ service members and LGBTQ+ dependents and threaten the recruitment, retention, and readiness of our Armed Forces.

These provisions include:

**1. SEC. 717. Prohibition on coverage of certain sex reassignment surgeries and related services under the TRICARE program.**

The U.S. government should not prohibit our service members from accessing medically necessary care. Gender-affirming care is safe, effective, and supported by every major medical association in the U.S., representing more than 1.3 million doctors. This care is essential for service members to be their authentic selves and focus on their mission. Denying this access to health care would deter eligible and qualified people from joining the Armed Forces, damage retention efforts, and hurt our military readiness. As our nation faces steep recruitment and retention challenges, attacking transgender people – who are more likely to serve in the U.S. military than cisgender people – is a grave mistake.

**2. SEC. 640C. Prohibitions on provisions of gender transition services through an exceptional family member program of the Armed Forces.**

This section prohibits dependents enrolled in the Exceptional Family Member Program (EFMP) from receiving gender-affirming care. It also prohibits service members from

being reassigned to a different duty station via the EFMP for the purpose of providing their dependents with gender-affirming care. These policy changes are antithetical to the goals of the EFMP and will create additional struggles for military families. When the government prevents service members from supporting their children in accessing the health care that they want and need, these military families will leave the services, hurting our military retention and readiness.

**3. SEC. 1048. Prohibition on display of unapproved flags.**

This section prohibits the display of Pride flags in any workplace, common access area, or public area of the Department of Defense — sending a strong message that LGBTQ+ people do not belong and aren't welcome. This is dangerous to military morale, readiness, and retention. Especially when the LGBTQ+ community is under attack, displaying a Pride flag shows that LGBTQ+ people belong and are seen. Displaying Pride flags is an important way for service members and DOD civilian employees to express that they are committed to creating an affirming and inclusive environment for LGBTQ+ people — or a way to celebrate their own identity.

**4. SEC. 661. Prohibition on availability of funds for certain books in schools operated by the Department of Defense Education Activity.**

At its core, America is a country that values and protects the freedom of speech and the open expression of ideas, yet this section erases the existence of transgender people by banning books that mention gender identity. Censoring books that are inclusive of transgender people sets a dangerous precedent that politicians can censor a range of school content based on politicians' ideologies. Schools should focus on creating supportive learning environments, not censoring content. Children of service members are already exposed to more stress and uncertainty due to frequent moves and putting them in unaccepting or unsafe classrooms is unfair to our military families that sacrifice so much for our country.

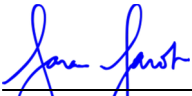
**5. SEC. 595. Prohibition on Drag Shows and Drag Queen Story Hour**

Drag artists and their performances serve as an essential form of self-expression and drag performances have long been a part of military history, tracing back to World War I and World War II. Despite this history, this section takes the extraordinary step of statutorily banning a single art form—drag—that is associated with a minority community, the LGBTQ+ community, from our military bases. Drag events on military bases are often sponsored by private groups and do not utilize federal funding, but this language would functionally eliminate the opportunity for private groups to host future events.

These sections of the House-passed NDAA were constructed to score political points rather than support and invest in our most important operational advantage: our service members. If service members are concerned for their health care, their right to exist, or the well-being of their

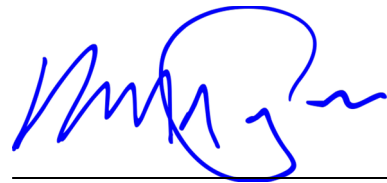
children and loved ones, they cannot focus on their jobs, thereby weakening military readiness and retention rates. Ensuring our ranks reflect the diversity of the American people is essential to the morale and cohesion of our Armed Forces and to our national security. We strongly urge you to remove these harmful sections from the NDAA during conference negotiations.

Sincerely,




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Sara Jacobs  
Member of Congress




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Mark Pocan  
Member of Congress




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Pramila Jayapal  
Member of Congress



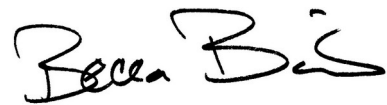
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Alma S. Adams, Ph.D.  
Member of Congress




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Colin Z. Allred  
Member of Congress



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Becca Balint  
Member of Congress



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Nanette Diaz Barragán  
Member of Congress



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Joyce Beatty  
Member of Congress



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Ami Bera, M.D.  
Member of Congress



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Donald S. Beyer Jr.  
Member of Congress



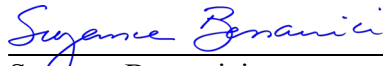
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Earl Blumenauer  
Member of Congress



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Lisa Blunt Rochester  
Member of Congress



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Suzanne Bonamici  
Member of Congress



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Jamaal Bowman, Ed.D.  
Member of Congress



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Shontel M. Brown  
Member of Congress



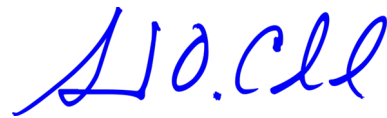
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Julia Brownley  
Member of Congress



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Cori Bush  
Member of Congress



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Salud Carbajal  
Member of Congress

*Tony Cárdenas*

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Tony Cárdenas  
Member of Congress

*André Carson*

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André Carson  
Member of Congress

*Greg Casar*

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Greg Casar  
Member of Congress

*Sean Casten*

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Sean Casten  
Member of Congress

*Kathy Castor*

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Kathy Castor  
Member of Congress

*Sheila Cherfilus-McCormick*

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Sheila Cherfilus-McCormick  
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*Judy Chu*

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Judy Chu  
Member of Congress

*Yvette W. Clarke*

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Yvette D. Clarke  
Member of Congress

*Emanuel Cleaver*

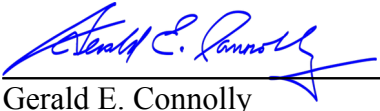
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Emanuel Cleaver, II  
Member of Congress

*Steve Cohen*

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Steve Cohen  
Member of Congress



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Gerald E. Connolly  
Member of Congress



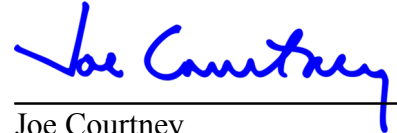
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J. Luis Correa  
Member of Congress




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Jim Costa  
Member of Congress



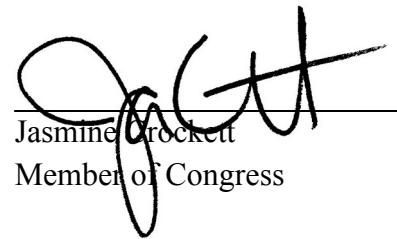
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Joe Courtney  
Member of Congress



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Angie Craig  
Member of Congress



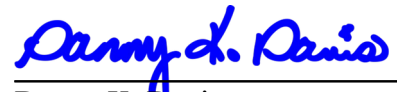
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Jasmine Crockett  
Member of Congress



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Jason Crow  
Member of Congress



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Danny K. Davis  
Member of Congress



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Madeleine Dean  
Member of Congress



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Diana DeGette  
Member of Congress



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Rosa L. DeLauro  
Member of Congress



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Suzan K. DelBene  
Member of Congress



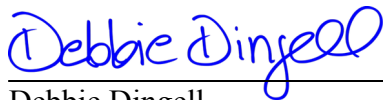
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Chris Deluzio  
Member of Congress



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Mark DeSaulnier  
Member of Congress



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Debbie Dingell  
Member of Congress



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Lloyd Doggett  
Member of Congress



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Veronica Escobar  
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Anna G. Eshoo  
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Adriano Espaillat  
Member of Congress



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Dwight Evans  
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Lizzie Fletcher  
Member of Congress



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Valerie P. Foushee  
Member of Congress



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Lois Frankel  
Member of Congress



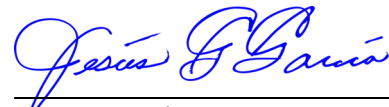
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Maxwell Alejandro Frost  
Member of Congress



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John Garamendi  
Member of Congress



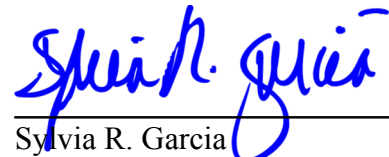
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Jésús G. "Chuy" García  
Member of Congress



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Robert Garcia  
Member of Congress



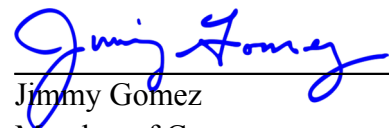
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Sylvia R. Garcia  
Member of Congress



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Dan Goldman  
Member of Congress



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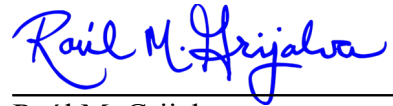
Jimmy Gomez  
Member of Congress





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Al Green  
Member of Congress



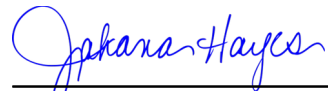
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Raúl M. Grijalva  
Member of Congress



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Josh Harder  
Member of Congress



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Jahana Hayes  
Member of Congress



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Brian Higgins  
Member of Congress



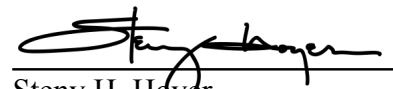
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Steven Horsford  
Member of Congress



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Chrissy Houlahan  
Member of Congress



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Steny H. Hoyer  
Member of Congress



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Val Hoyle  
Member of Congress



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Jared Huffman  
Member of Congress



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Sheila Jackson Lee  
Member of Congress



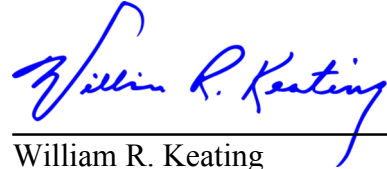
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Henry C. "Hank" Johnson, Jr.  
Member of Congress



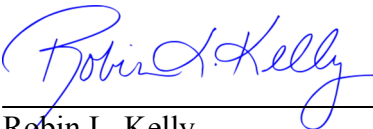
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Sydney Kamlager Dove  
Member of Congress



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William R. Keating  
Member of Congress



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Robin L. Kelly  
Member of Congress



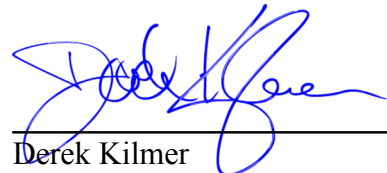
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Ro Khanna  
Member of Congress



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Daniel T. Kildee  
Member of Congress



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Derek Kilmer  
Member of Congress



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Raja Krishnamoorthi  
Member of Congress



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Ann McLane Kuster  
Member of Congress



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Rick Larsen  
Member of Congress



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Barbara Lee  
Member of Congress



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Summer Lee  
Member of Congress



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Susie Lee  
Member of Congress



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Teresa Leger Fernández  
Member of Congress



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Mike Levin  
Member of Congress



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Ted W. Lieu  
Member of Congress



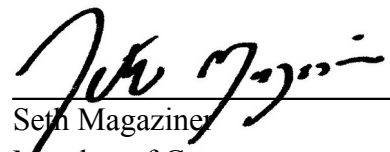
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Zoe Lofgren  
Member of Congress



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Stephen F. Lynch  
Member of Congress



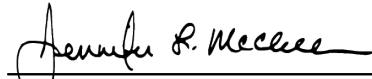
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Seth Magaziner  
Member of Congress



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Doris Matsui  
Member of Congress



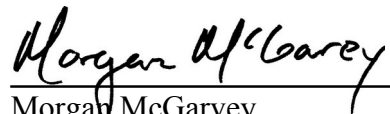
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Jennifer L. McClellan  
Member of Congress



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Betty McCollum  
Member of Congress



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Morgan McGarvey  
Member of Congress



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James P. McGovern  
Member of Congress



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Gregory W. Meeks  
Member of Congress



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Robert J. Menendez  
Member of Congress



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Grace Meng  
Member of Congress



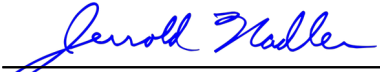
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Gwen S. Moore  
Member of Congress



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Kevin Mullin  
Member of Congress



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Jerrold Nadler  
Member of Congress



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Grace F. Napolitano  
Member of Congress



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Joe Neguse  
Member of Congress



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Donald Norcross  
Member of Congress



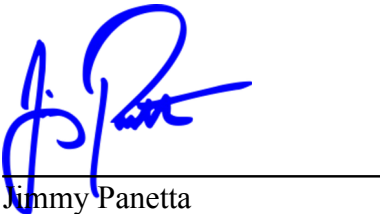
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Eleanor Holmes Norton  
Member of Congress



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Alexandria Ocasio-Cortez  
Member of Congress



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Jimmy Panetta  
Member of Congress



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Chris Pappas  
Member of Congress



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Donald M. Payne, Jr.  
Member of Congress



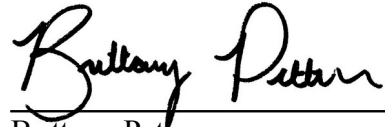
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Nancy Pelosi  
Member of Congress



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Scott H. Peters  
Member of Congress



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Brittany Pettersen  
Member of Congress



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Dean Phillips  
Member of Congress



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Chellie Pingree  
Member of Congress



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Katie Porter  
Member of Congress



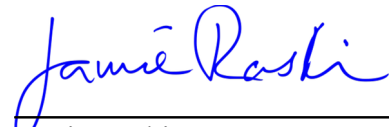
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Ayanna Pressley  
Member of Congress



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Mike Quigley  
Member of Congress



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Jamie Raskin  
Member of Congress



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Deborah K. Ross  
Member of Congress



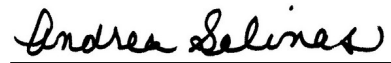
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Raul Ruiz, M.D.  
Member of Congress



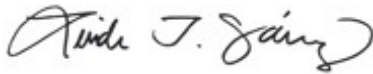
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Patrick K. Ryan  
Member of Congress



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Andrea Salinas  
Member of Congress



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Linda T. Sánchez  
Member of Congress



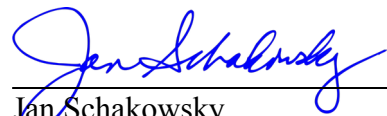
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John P. Sarbanes  
Member of Congress



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Mary Gay Scanlon  
Member of Congress



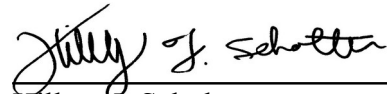
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Jan Schakowsky  
Member of Congress



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Adam B. Schiff  
Member of Congress



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Hillary J. Scholten  
Member of Congress



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Robert C. "Bobby" Scott  
Member of Congress



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Terri A. Sewell  
Member of Congress



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Brad Sherman  
Member of Congress



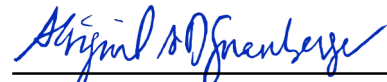
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Eric Sorensen  
Member of Congress



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Darren Soto  
Member of Congress



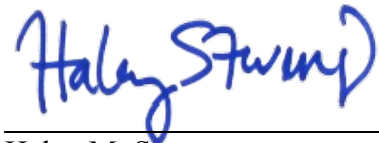
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Abigail Davis Spanberger  
Member of Congress



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Greg Stanton  
Member of Congress



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Haley M. Stevens  
Member of Congress



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Marilyn Strickland  
Member of Congress



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Eric Swalwell  
Member of Congress



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Mark Takano  
Member of Congress



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Shri Thanedar  
Member of Congress





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Mike Thompson  
Member of Congress



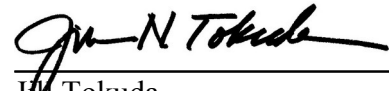
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Dina Titus  
Member of Congress



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Rashida Tlaib  
Member of Congress



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Jim Tokuda  
Member of Congress



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Paul D. Tonko  
Member of Congress



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Norma J. Torres  
Member of Congress



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Ritchie Torres  
Member of Congress



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Lori Trahan  
Member of Congress



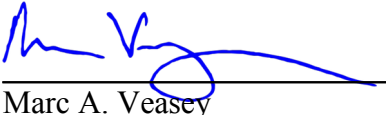
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David J. Trone  
Member of Congress



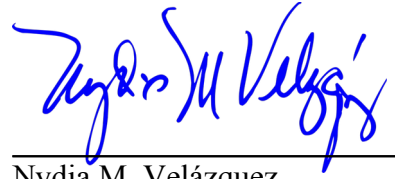
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Juan Vargas  
Member of Congress



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Marc A. Veasey  
Member of Congress



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Nydia M. Velázquez  
Member of Congress



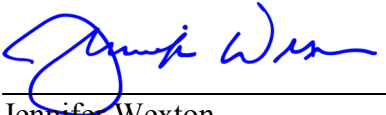
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Debbie Wasserman Schultz  
Member of Congress



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Maxine Waters  
Member of Congress



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Jennifer Wexton  
Member of Congress



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Nikema Williams  
Member of Congress



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Frederica S. Wilson  
Member of Congress